

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:	:	Case No. 10-24788-GLT
	:	Chapter 13
MIKE BUSSARD and	:	
SALLY ANN BUSSARD,	:	Related to Dkt. No. 102 and 113
	:	
Debtors.	:	
In re:	:	Case No. 10-24789-GLT
	:	Chapter 13
KERI ANN BURGWIN	:	
f/k/a KERI ANN KOLODZIY,	:	Related to Dkt. No. 55 and 70
	:	
Debtors.	:	
In re:	:	Case No. 10-22428-GLT
	:	Chapter 13
LISA DARLENE THOMPSON,	:	
	:	Related to Dkt. No. 52 and 61
Debtor.	:	
In re:	:	Case No. 08-22076-GLT
	:	Chapter 13
CATHERINE ELIZBETH NEVELS,	:	
	:	Related to Dkt. No. 151 and 166
Debtor.	:	

ORDER OF COURT

This matter initially came before the Court upon numerous *Orders to Show Cause* issued against Jon A. Cwalina, Esq. for his failure to attend several Court hearings and to comply with various Court *Orders*. The *Orders to Show Cause* were issued in four cases: (1) *In re Bussard*, Case No. 10-24788-GLT at Dkt. No. 102; (2) *In re Burgwin*, Case No. 10-24789-GLT at Dkt. No. 55; (3) *In re Thompson*, Case No. 10-22428-GLT at Dkt. No. 52; and (4) *In re Nevels*, Case No. 08-22076-GLT at Dkt. No. 151.

On March 11, 2014, the Court issued an *Order* in each of the four above-captioned cases finding Attorney Cwalina in contempt of this Court and requiring him to pay the sum of \$200 to the Office of the Chapter 13 Trustee by March 18, 2014. The *Order* directed the chapter 13 trustee to hold the \$200 in trust pending further order of this Court. The *Order* further provided that the funds were to be used to cover legal fees for clients in the event that replacement legal counsel became necessary. At a hearing held on April 16, 2014, the chapter 13 trustee verified that Attorney Cwalina remitted the \$200 sanction to her office.

After multiple *Orders to Show Cause* against Attorney Cwalina and numerous hearings before the Court, it appears that Attorney Cwalina worked diligently to ensure that the majority of his cases reached a satisfactory conclusion. As of the date of this *Order*, Attorney Cwalina remains attorney-of-record in only two active bankruptcy cases. The Court finds that, because Attorney Cwalina substantially complied with each *Order to Show Cause*, it is appropriate to refund the \$200 sanction that is currently on hand with the chapter 13 trustee. As it appears that replacement counsel may no longer be necessary in light of Attorney Cwalina's corrective actions, the Court finds no basis for the trustee to retain the funds at this time.

AND NOW, based upon the forgoing, it is hereby **ORDERED, ADJUDGED,** and **DECREED** that:

1. Any response to this *Order* shall be filed on or before **August 29, 2016**.
2. In the event no timely responses to this *Order* are filed, the chapter 13 trustee shall refund to Jon A. Cwalina, Esq. the sum of \$200 that is being held in trust by her office by **September 6, 2016**.
3. On or before **September 9, 2016**, the chapter 13 trustee shall file a status report indicating whether the refund has been made.

4. Upon the submission of the status report, each of the above-captioned cases may be closed.

Dated: August 16, 2016



GREGORY L. TADDONIO
UNITED STATES BANKRUPTCY JUDGE

Case administrator to mail to:
Mike and Sally Ann Bussard
Keri Ann Burgwin
Lisa Darlene Thompson
Catherine Elizabeth Nevels
Jon A. Cwalina, Esq.
Ronda J. Winnecour, Esq.
Office of the U.S. Trustee

Imaged Certificate of Notice Page 4 of 4

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Catherine Elizabeth Nevels
DebtorCase No. 08-22076-GLT
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: lfin
Form ID: pdf900Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 16, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 18, 2016.

db +Catherine Elizabeth Nevels, 1521 Hatteras Street, Pittsburgh, PA 15212-4314

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 18, 2016

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 16, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor Aurora Loan Services, LLC agornall@goldbecklaw.com,
 bkgroup@goldbecklaw.com/bkgroup@kmlawgroup.com
 David H. Lipow on behalf of Creditor SELECT PORTFOLIO SERVICING, INC bkecf@milsteadlaw.com,
 dlipow@milsteadlaw.com
 David H. Lipow on behalf of Creditor CSFB - SPECIAL SERVICING bkecf@milsteadlaw.com,
 dlipow@milsteadlaw.com
 Derek K. Koget on behalf of Creditor Allegheny County dkoget@grblaw.com, cnoroski@grblaw.com
 Jon A. Cwalina on behalf of Debtor Catherine Elizabeth Nevels joncwalina@yahoo.com,
 jclawnotices@yahoo.com/jcwalina@yahoo.com
 Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
 Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
 ckutch@ecf.courtdrive.com;pashcroft@ecf.courtdrive.com/pghecf@bernsteinlaw.com;cabbott@ecf.courtdrive.com
 Ronda J. Winnecour cmecf@chapter13trusteedpa.com
 S. James Wallace on behalf of Creditor Equitable Gas Bankruptcy Department sjw@sjwpggh.com,
 Equitablebankruptcy@peoples-gas.com/srk@sjwpggh.com

TOTAL: 9